



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/781,961

02/19/2004

John F. Schickler

RSER-2

4457

20808 7590 07/05/2007  
BROWN & MICHAELS, PC  
400 M & T BANK BUILDING  
118 NORTH TIOGA ST  
ITHACA, NY 14850

EXAMINER

CUFF, MICHAEL A

ART UNIT

PAPER NUMBER

3627

MAIL DATE

DELIVERY MODE

07/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/781,961	<b>Applicant(s)</b> SCHICKLER, JOHN F.	
	<b>Examiner</b> Michael Cuff	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20040830, 20060721</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

Figures 1-5 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over truckrealm.com in view of Mantripragada et al.

truckrealm.com shows all of the limitations of the claims except for specifying the use of possible identifiers, including abbreviations, misspellings and combinations.

truckrealm.com shows "What is VMRS?", which includes identifiers for manufactures, suppliers and brands; equipment categories, vocatins and body types;

Art Unit: 3627

text and graphics; and a wholly electronic version of VMRS. truckrealm.com also shows a link to CrossMaster-HD, a cross reference database. The reference is silent as to what CrossMaster-HD entails other than the simple meaning that it is a cross reference database related to VMRS.

Mantripragada et al. teaches a matching and cleansing of part data. Column 3, lines 16-27, clearly teaches the use of abbreviations, misspellings and combinations in part searches in order to facilitate finding the correct part despite the many common errors in the parts field.

Based on the teaching of Mantripragada et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to specify that CrossMaster-HD incorporate the search technique of Mantripragada et al., including the use of abbreviations, misspellings and combinations in part searches in order to facilitate finding the correct part despite the many common errors in the parts field.

***Request for Information under 37 CFR § 1.105***

Applicant's summary of the invention recites, paragraph [0011]:

"The codes which are used are a published industry standard--the VMRS codes ("Vehicle Maintenance Reporting Standards") as issued by the Technology and Maintenance Council of the American Trucking Associations, Washington DC. These same codes are then applied in other ways for the benefit of the user, including links to correct descriptions, applications and illustrations of the part."

Due to the integral use of the VMRS, the office is requesting information from the applicant to explicitly delineate what claimed portions are from the VMRS system and

Art Unit: 3627

what claimed portions are improvements to the VMRS system. For example, "listing of Codes for parts of that manufacturer linked to said user name" is accomplished by VMRS code key 34 based on the "DUNS Number". This information will aid the office in helping applicant get a useful and valid patent on the applicant's invention.

[www.karmak.com](http://www.karmak.com) has a link to a CrossMaster-HD white paper, which states that general release is April 2003. This is not a valid reference due to provisional application 60/449,542, but does appear to be nearly identical to applicant's disclosure in reference to using VMRS and "possible" identifiers. Because CrossMaster-HD is referenced in [www.truckrealm.com](http://www.truckrealm.com), but no date can be established for the content of CrossMaster-HD prior to April 2003, the office is requesting information from the applicant on any pertinent information concerning the content of CrossMaster-HD prior to applicant's effective filing date. This information will aid the office in helping applicant get a useful and valid patent on the applicant's invention.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gump et al. shows an electronic publishing system of interest. Bordner et al., Nakamura et al., and Roberts et al. show systems using fuzzy logic of interest. CrossMaster-HD shows a cross-reference system of interest.

Art Unit: 3627

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (571) 272-6778. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Michael Cuff* 6/25/07  
Michael Cuff  
June 25, 2007

**MICHAEL CUFF**  
**PRIMARY EXAMINER**

*F. Ryan Zeender* 6/25/07  
**F. RYAN ZEENDER**  
**SUPERVISORY PATENT EXAMINER**